Docket No.: 64162-022

FEB 2 2 2005

PATENT 1632

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Customer Number: 20277

Gerald Wayne BOTH, et al.

Confirmation Number: 8030

Application No.: 09/464,767

Group Art Unit: 1632

Filed: December 16, 1999

Examiner: Scott David Priebe

For: DNA ENCODING OVINE ADENOVIRUS (OAV287) AND ITS USE AS A VIRAL VECTOR

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment in the above identified application.

No additional fee is required.

Applicant is entitled to small entity status under 37 CFR 1.27

Also attached: Extension of Time

The fee has been calculated as shown below:

|                    | NO. OF<br>CLAIMS | HIGHEST<br>PREVIOUSLY<br>PAID FOR                          | EXTRA<br>CLAIMS | RATE       | FEE      |
|--------------------|------------------|--|-----------------|------------|----------|
| Total Claims       | 24               | 31   | 0               | \$50.00 =  | \$0.00   |
| Independent Claims | 9                | 12   | 0               | \$200.00 = | \$0.00   |
|                    |                  | Multiple claims newly presented  Fee for extension of time |                 |            | \$0.00   |
|                    |                  |  |                 |            | \$120.00 |
|                    |                  |  |                 |            | \$0.00   |
|                    |                  | Total of Above Calculations                                |                 |            | \$120.00 |

Please charge my Deposit Account No. <u>500417</u> in the amount of \$120.00. An additional copy of this transmittal sheet is submitted herewith.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 500417, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

Jugith L. Toffenetti

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EMERY LLP